

Remarks

Claims 1-30 have been rejected under 35 USC 102(b) as being anticipated by U.S. patent no. 5,926,166 (“Khederzadeh”).

Applicants respectfully traverse these rejections because the cited references do not disclose or suggest every element of any pending claim, as the following analysis shows.

In a telephone interview between Examiner Wu and applicant’s representative John Travis on September 26, 2005, it was agreed the language of the independent claims might be ambiguous, that the examiner interpreted the term “external to a system management mode” to describe the ‘event-driven action’ in claim 1, and the rejection was based on that interpretation for all the independent claims. However, it was applicant’s intent that the term “external to a system management mode” should describe the ‘response’ in claim 1, and should be interpreted similarly for the other independent claims, which would eliminate Khederzadeh as prior art.

Independent claims 1 and 23 have each been amended to remove the ambiguity and more accurately describe applicant’s intent. After a review of independent claims 7, 16, 20, and 28, applicant believes these claims already correctly reflect applicant’s intent, and these have not been amended in this manner.

Claims 16, 20, and 28 have been amended to correct minor typographical errors. These amendments were not in response to prior art, and applicant believes these changes do not change the scope of the claims 16, 20, and 28.

The following remarks are addressed to the pending claims after the above amendment.

Independent claims 1, 7, 16, 20, 23, and 28 each recite performing a function external to a system management mode (SMM) of the processor. Khederzadeh performs his operations within the SMM (col 3 lines 58-59, col 4 lines 55-56). Khederzadeh repeatedly refers to the SMM BIOS, which is the BIOS that is accessible while running in SMM. Khederzadeh uses the conventional approach that Applicant's claimed invention is trying to avoid (see Applicant's paragraph 0004).

The remaining pending claims all depend from claims 1, 7, 16, 20, 23 and 28, and therefore contain the same limitations not disclosed or suggested by the cited references.

Conclusion

For the foregoing reasons, it is submitted that the application is in condition for allowance, and indication of allowance by the Examiner is respectfully requested. If the Examiner has any questions concerning this application, he or she is requested to telephone the undersigned at the telephone number shown below as soon as possible. If any fee insufficiency or overpayment is found, please charge any insufficiency or credit any overpayment to Deposit Account No. 02-2666.

Respectfully submitted,

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